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Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 31 March 2008 from the Permanent Representative of Sri Lanka to the United Nations addressed to the President of the General Assembly

I have the honour to inform you that the Government of Sri Lanka has decided to present its candidature for membership of the Human Rights Council for the term 2008-2011 in the elections to be held during the sixty-second session of the General Assembly.

Sri Lanka's initial two-year term as a member of the Council will expire in May 2008. During its two-year term, Sri Lanka has played an active role in the institution-building process of the Council as Chair of the Asian Group and presently serves as one of its Vice-Chairs. Sri Lanka now seeks an opportunity to serve a full term to continue its role of contributing in a constructive and cooperative manner to the work of the Council.

In this regard, I have the honour to enclose, in accordance with General Assembly resolution 60/251, an aide-memoire outlining voluntary pledges and commitments by Sri Lanka that reiterate Sri Lanka's long-standing commitment to the promotion and protection of all human rights for all (see annex).

It would be appreciated if the present letter and its annex could be circulated as a document of the General Assembly.

(*Signed*) Prasad **Kariyawasam**
Ambassador
Permanent Representative

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Annex to the letter dated 31 March 2008 from the Permanent Representative of Sri Lanka to the United Nations addressed to the President of the General Assembly

Voluntary pledges and commitments by Sri Lanka

Sri Lanka is seeking re-election to the Human Rights Council at the elections to be held at the UN General Assembly in New York in May 2008.

Sri Lanka, one of the oldest democracies in the region, has had a long tradition of promoting and protecting human rights. Universal franchise was introduced in Sri Lanka in 1931. The Constitution of Sri Lanka enshrines Sri Lanka's commitment to human rights by guaranteeing to its citizens, fundamental rights, which include freedom of thought, conscience and religion; freedom from torture; right to equality; freedom from arbitrary arrest, detention and punishment, and prohibition of retroactive penal legislation. In addition, every citizen is entitled to freedom of speech, assembly, association, occupation, and movement.

Since Independence, successive Governments have accorded priority to comprehensive health and education systems, resulting in high social indicators that have placed Sri Lanka at the top of the regional human development index. Despite facing the unprecedented challenges of a massive natural disaster, namely the tsunami of December 2004, and the persistent scourge of terrorism, average economic growth is expected to be over 6% in 2007. This has enabled Sri Lanka to disburse the benefits of development to a large cross section of the population. Demonstrating its resilience, Sri Lanka has also substantially recovered from the destruction wrought by the tsunami – an important achievement for a country in the lower middle income range.

Sri Lanka has undertaken international legal obligations by becoming party to the seven core human rights treaties, namely, the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW).

In addition, Sri Lanka is also a State Party to the following Optional Protocols: First Optional Protocol to the International Covenant on Civil and Political Rights; Optional Protocol to the Convention on the Elimination of All Forms of Discrimination

Against Women; and Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict; and on the Sale of Children, Child Prostitution and Child Pornography.

In 2007, Sri Lanka also signed the International Convention on the Rights of Persons with Disabilities, and is currently engaged in enacting necessary legislative and administrative measures to give effect to the provisions of the Convention and ensure the fulfilment of the rights of persons with disabilities. The International Covenant on Civil and Political Rights Act No 56 of 2007 (the ICCPR Act) was passed by the Parliament in October 2007 to give effect to specific articles of the Covenant. The ICCPR Act fills lacunae in the existing domestic legislation. The Government of Sri Lanka has in place enabling legislation to give effect to the Optional Protocol to the Convention of the Rights of the Child, on the Sale of Children, Child Prostitution, and Child Pornography.

Apart from fulfilling reporting obligations to treaty bodies, Sri Lanka has followed a consistent policy of cooperation as well as open and constructive engagement with the special procedures mechanisms of the Commission on Human Rights as well as the Human Rights Council. Such cooperation and engagement is demonstrated by the extension of regular invitations to such mechanisms to undertake visits to Sri Lanka. During 2007, Sri Lanka facilitated visits by the Special Rapporteur on torture and other cruel and, inhuman or degrading treatment of punishment, the High Commissioner for Human Rights, and the Secretary-General's Representative on the human rights of internally displaced persons. In addition, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator also undertook a visit to Sri Lanka during 2007.

Sri Lanka has opened itself to scrutiny of multiple international mechanisms on the belief that openness and accountability, through international means, can strengthen national efforts at promoting and protecting all human rights. Accordingly, Sri Lanka has committed itself to examination during the 2nd session of the first cycle of the Universal Periodic Review mechanism of the Human Rights Council in May 2008 as a further demonstration of our openness to fair and objective scrutiny by the Council.

As a manifestation of its commitment to engage with the international community in ensuring the promotion and protection of human rights of all its citizens, Sri Lanka established an International Independent Group of Eminent Persons (IIGEP), a unique mechanism, to observe the work of the Commission of Inquiry (COI) which was set up at national level to investigate into alleged abductions, disappearances, and extra judicial killings. The mandate of the IIGEP was developed in consultation

with the United Nations High Commissioner for Human Rights and representatives of the countries nominating members to the IIGEP. The initial mandate of the Commission of Inquiry was extended in November 2007 for a further period of one year.

Sri Lanka also appointed in 2007, a Committee to inquire into allegations of abduction and recruitment of children for use in armed conflict. This Committee has commenced work and is in the process of making inquiries into alleged incidents, and is also taking steps to create an institutional framework for rehabilitation of released, rescued, and surrendered ex-child combatants. Sri Lanka has enacted legislation to make the recruitment of children for armed conflict an offence.

Sri Lanka is a firm supporter of the United Nations human rights system, and has been active in deliberations on human rights in international fora including the negotiations that led to the establishment of the Human Rights Council as well as the adoption of the institution building package of the Council. Sri Lanka made a substantial contribution to building consensus in the Human Rights Council as Chair of the Asian Group in 2007 and was elected as a Vice President of the Human Rights Council for one year in June 2007.

In pursuit of its commitment to the further promotion and protection of human rights, Sri Lanka voluntarily makes the following pledges and commitments:

- Sri Lanka will continue its efforts to strengthen its national mechanisms and procedures to promote and protect the human rights and fundamental freedoms of all its citizens.

- Sri Lanka will continue its active and constructive dialogue and cooperation with the Office of the High Commissioner for Human Rights to strengthen national mechanisms in all aspects.

- Sri Lanka will take necessary steps to enable the reconstitution of the Constitutional Council which will facilitate the strengthening and effective functioning of national human rights mechanisms, including the National Human Rights Commission.

- A Witness and Victim Protection Bill will be introduced in Parliament shortly. Suggestions in this regard from the IIGEP have been received and incorporated. The Commission of Inquiry has established an interim programme by way of rules for the protection of interests of victims.

- The Ministry of Disaster Management and Human Rights will launch a national human rights awareness campaign to commemorate the 60th Anniversary of the Universal Declaration of Human Rights in 2008.

- The Ministry of Disaster Management and Human Rights will organize a regional seminar for parliamentarians on human rights related themes in 2008.

- Sri Lanka has commenced work on drafting a Human Rights Charter that will strengthen the human rights protection framework in the country and bring Sri Lanka's human rights guarantees in line with international obligations. The process includes engaging in consultations with community-based organisations, NGOs and members of the public. The draft Charter and the process of consultation will foster a national discourse on human rights.

- Sri Lanka will continue to work towards the submission of its periodic reports to treaty bodies including cooperating with OHCHR in drafting a common core document for use by all treaty bodies.

- As a part of its commitment to guarantee civil and political rights as well as economic, social and cultural rights of people, Sri Lanka will continue to align its development strategy within the larger framework of promoting local values and social protection for women, children, elderly and differently able people and vulnerable groups in society and respect to human rights and good governance.

- Sri Lanka, manifesting its commitment to promote people oriented development, will work towards the alleviation of poverty and achieving the Millennium Development Goals by 2015 through continued investment in social infrastructure, education, and health services in line with the *Mahinda Chintana* policy (vision of H.E. the President of Sri Lanka for social and economic development of the country).

- Through mechanisms such as the Inter-Ministerial Committee on Human Rights, and the Consultative Committee on Humanitarian Assistance, Sri Lanka will continue to promote public awareness regarding action taken to promote and protect human rights.

- Sri Lanka will continue to take steps to safeguard and advance the rights of children through national mechanisms such as the National Child Protection Authority and the Ministry of Child Development and Women's Empowerment.

Sri Lanka will also continue to actively support international processes that seek to advance the rights of the child.

- Sri Lanka will continue to take steps that seek to advance the empowerment of women and women's rights and gender equality at national level through the Ministry of Child Development and Women's Empowerment as well as other national mechanisms. Sri Lanka will, at the same time support international processes that seek to advance women's rights and gender equality.

- Trafficking of human beings, particularly women and children is emerging as one of the most urgent issues of today and involves the gross violation of human rights of vulnerable segments of society. Keeping in line with Sri Lanka's policy of open and constructive engagement with the international community and its commitment to enforce global standards, Sri Lanka will work closely with its partners to combat this heinous activity.

- Sri Lanka will continue its traditional role of consensus-builder and participate actively in the work of the Human Rights Council to make the Council a strong, effective and efficient body that is capable of promoting and protecting the human rights and fundamental freedoms of all.

- Sri Lanka will continue to participate in the work of the Human Rights Council in norm-setting in the field of human rights.

- Sri Lanka will work with UN member States and relevant UN bodies to assist the Office of the High Commissioner for Human Rights to formulate proposals for treaty body reform with a view to making the UN treaty body system more effective and in line with present day requirements of member States.

- Sri Lanka will work with UN Member States and relevant UN bodies for world-wide promotion and protection of human rights based on principles of cooperation and dialogue.